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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

BRENDA HILL, et al.,
Plaintiffs,
v.
KAISER FOUNDATION HEALTH PLAN,
INC., et al.,
Defendants.

Case No. 10-cv-02833-LB

**ORDER RE: EIGHTH, NINTH AND
TENTH SEALING MOTIONS**

[Re: ECF Nos. 215, 222, 229]

On July 27, 2015, the court entered an order resolving seven sealing motions that were filed at ECF Nos. 182, 184, 193, 200, 206, 212, and 214. (See Order re Seven Administrative Motions to Seal, ECF No. 218.) In that order, the court required the sealing of (1) monetary terms set forth in the Confidential Settlement Agreement; (2) confidential settlement terms related to programmatic commitments set forth in the Confidential Settlement Agreement; (3) confidential commitments by the respective Parties in the Confidential Settlement Agreement that are not germane to Friedman's fee dispute; (4) confidential "Lawsuit Information" as defined in the Confidential Settlement Agreement; and (5) confidential settlement communications and confidential settlement negotiations conducted under Local ADR Rule 7-5. (*Id.* at 2.) To that end, the court ordered the parties to file the proposed redacted versions of documents that were attached to the Declaration of Jan E. Eakins in support of Defendants' Administrative Motion to Seal dated June 30, 2015. (*Id.*)

ORDER (No. 3:10-cv-02833-LB)

1 There was, however, an eighth sealing motion filed by Mr. Friedman at ECF No. 215 which
2 the court's Order re Seven Administrative Motions to Seal did not cover. By that eighth sealing
3 motion, Mr. Friedman sought leave "to file a reply to Kaiser's Opposition re Sealing Issues under
4 a temporary seal." (Motion, ECF No. 215 at 1.) So, on July 29, 2015, because no proposed order
5 was filed along with the eighth sealing motion, the court stamped the motion as "granted" and
6 filed the stamped motion as an order. (7/29/2015 Order, ECF No. 221.) The court meant this order
7 to require Mr. Friedman to redact that same kinds of information in his reply that it had ordered
8 sealed in the other documents. It did not intend its order to "deny a permanent seal on all
9 documents," as Mr. Friedman now suggests.

10 Presumably because the court's 7/29/2015 Order did not specify which portions of Mr.
11 Friedman's reply were sealed, later on June 29, 2015, Kaiser filed a ninth sealing motion that
12 included a proposed redacted version of Mr. Friedman's reply. (Motion, ECF No. 222.) As with
13 the other documents, the proposed redactions covered (1) monetary terms set forth in the
14 Confidential Settlement Agreement; (2) confidential settlement terms related to programmatic
15 commitments set forth in the Confidential Settlement Agreement; (3) confidential commitments
16 by the respective Parties in the Confidential Settlement Agreement that are not germane to
17 Friedman's fee dispute; (4) confidential "Lawsuit Information" as defined in the Confidential
18 Settlement Agreement; and (5) confidential settlement communications and confidential
19 settlement negotiations conducted under Local ADR Rule 7-5. (*Id.* at 2.)

20 On August 3, 2015, Mr. Friedman filed the tenth sealing motion, in which he seeks leave to
21 file under seal an opposition to the ninth sealing motion filed by Kaiser. (Motion, ECF No. 229.)

22 The court grants the ninth sealing motion (ECF No. 222) and orders that Kaiser's proposed
23 redacted version of Mr. Friedman's reply, which is attached to the Declaration of Jan E. Eakins in
24 support of Defendants' Administrative Motion dated July 29, 2015, may be filed, and that the
25 unredacted version of the same document shall remain sealed.

26 The court also grants the tenth sealing motion (ECF No. 229), but this is not be construed to
27 "deny a permanent seal on all documents." Mr. Friedman's opposition to the tenth sealing motion
28 shall be sealed to the same extent that all of the other documents have been sealed.

1 **IT IS SO ORDERED.**

2 Dated: August 3, 2015



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4 LAUREL BEELER
5 United States Magistrate Judge
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United States District Court
Northern District of California